

MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING AND DEVELOPMENT
STAFF REPORT **#17**
MAJOR MODIFICATION

CASE NUMBER: PD 07-301 **LUCB MEETING:** September 10, 2015

DEVELOPMENT NAME:

Jackson Avenue Open Air Community Market P.D.

LOCATION:

4010 Jackson Avenue: northwest side of Jackson Avenue, 479.8 feet to south line of Brighton Road South

CITY COUNCIL DISTRICT:

7 **SUPER DISTRICT:** 9

OWNER OF RECORD:

Anthony Joseph Campos Sy Revocable Trust

APPLICANT:

Anthony Joseph Campos Sy Revocable Trust

REPRESENTATIVE:

Neeraj Kumar, Design Group

REQUEST:

Major modification to an existing planned development for an open air market to rephase the development; extend the hours of operation to midnight on Friday and Saturday nights and add other uses/componentst to the recorded concept or outline plan

AREA:

27.248 Acres

EXISTING LAND USE & ZONING:

Existing open air market in the Residential Urban (RU-3) and Residential Urban Floodplain [RU-3(FP)] Districts.

OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION:

Rejection

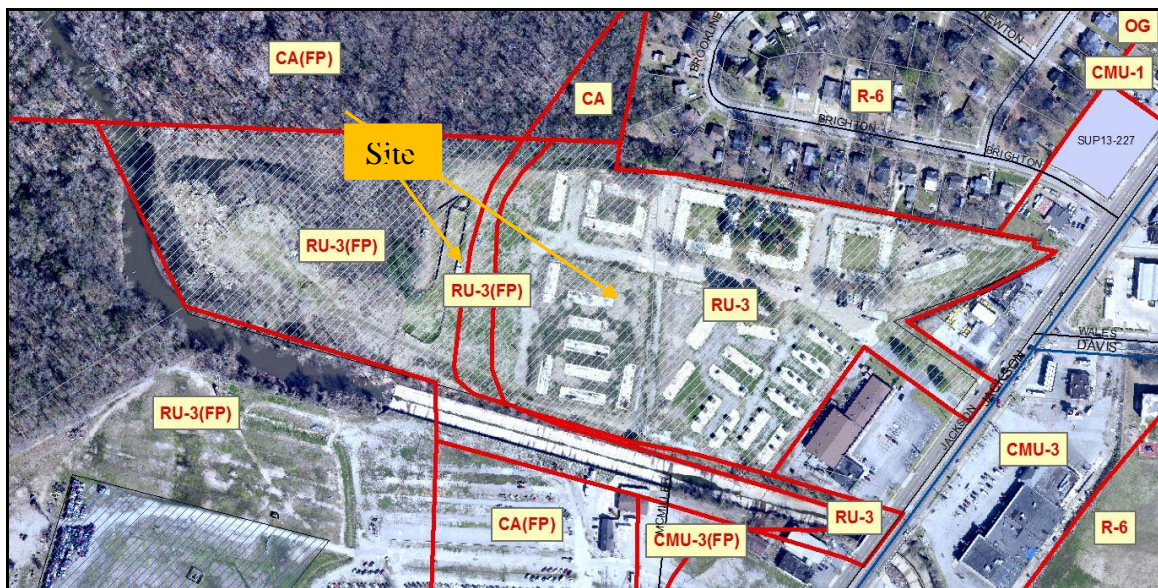
Staff Writer: Marion Jones

Email Address: marion.jones@memphistn.gov

CONCLUSIONS:

The applicant is proposing a more intense, one phase development plan with minimal information and without a set of revised conditions. The site does not meet the approved conditions for permanent restroom facilities and site improvement within Phase I required on the recorded outline plan and final plan for Phase I. In addition, the site's close proximity to the existing single-family residential development to the north is another consideration for staff's recommendation of rejection

Aerial Photograph with Zoning

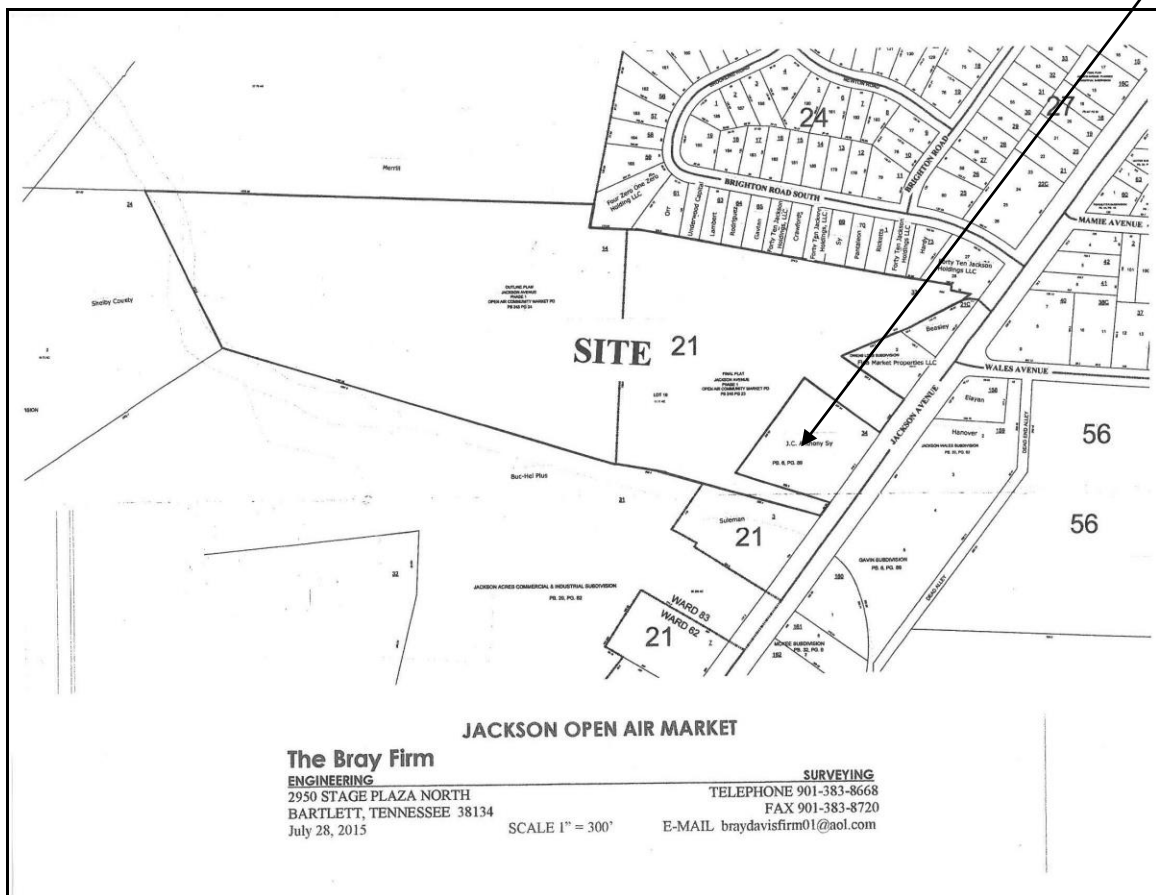


SURROUNDING LAND USES AND ZONING

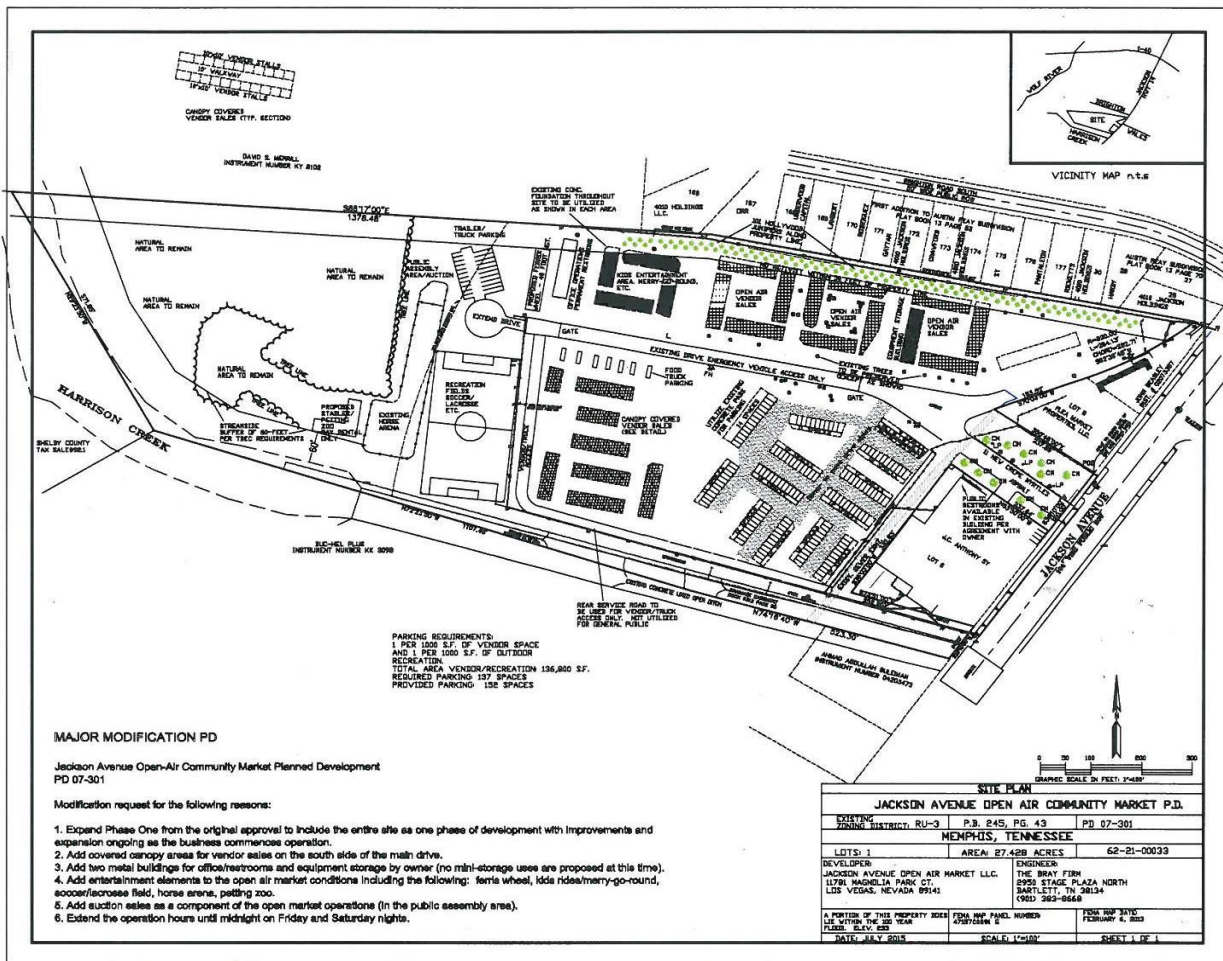
- North:** Single-family houses in the Residential Single-Family (R-6) District and vacant land in the Conservation Agriculture (CA) and Conservation Agriculture Floodplain [CA(FP)] Districts.
- South:** Commercial uses along the Jackson Avenue frontage in the Commercial Mixed Use (CMU-3) District and an automobile salvage yard in the Conservation Agriculture Floodplain [CMU-3 (FP)], Commercial Mixed Use Floodplain [CMU-3(FP)] and Residential Urban Floodplain [RU-3(FP)] Districts.
- East:** Retail sales and a laundry mat in the commercial center abutting the site, vehicle repair and sales and retail sales across Jackson Avenue in the Commercial Mixed Use (CMU-3) District.
- West:** Vacant land in the Residential Urban (RU-3) District.

Vicinity Map

Google Picture



Site Plan:



MAJOR MODIFICATION PD

Jackson Avenue Open-Air Community Market Planned Development PD 07-301

Modification request for the following reasons:

1. Expand Phase One from the original approval to include the entire site as one phase of development with improvements and expansion ongoing as the business commences operation.
2. Add covered canopy areas for vendor sales on the south side of the main drive.
3. Add two metal buildings for office/restrooms and equipment storage by owner (no mini-storage uses are proposed at this time).
4. Add entertainment elements to the open air market conditions including the following: ferris wheel, kids rides/merry-go-round, soccer/soccer field, horse arena, petting zoo.
5. Add auction sales as a component of the open market operations (in the public assembly area).
6. Extend the operation hours until midnight on Friday and Saturday nights.

Site Concept Drawings



View from Main Gate



Food Vendors



Vendor Sales



Children's Entertainment Venues



Sports Venues

Photographs of the Site



Main Entrance to Jackson Avenue Open Air Market



Fencing and former multi-family foundations to be used for parking



Barricades along the main drive and former multi-family foundations with fencing



Looking west along the main entrance



Looking further west toward the house arena area



Landscaping where the main drive splits near the horse arena area



RV and trailer onsite near northern property line



Storage area to the north of the main drive near the entrance.



Flea Market Office in the commercial area adjacent to the open air market



Food truck located in the rear of the commercial center

Legal Description of the Property

Tom Leatherwood, Shelby County Register of Deeds: Instr. # 14116227

LEGAL

Fogelman by Trustee's Deed recorded under Instrument No. 22-4402, SCRO, and being more particularly described as follows:

Beginning at a point in the northwest line of Jackson Ave. (104 feet wide) at a distance of 384.8 feet southwestwardly, as measured along the northwest line of Jackson Ave, from its intersection with the south boundary line of Austin Peay S/D (Plat Book 13, Page 70, SCRO and Plat Book 13, Page 83, Lot 2 of the Owens Loeb S/D as recorded in Plat Book 34, Page 8, SCRO; thence North 66 degrees 39 minutes West (deed call North 65 degrees 39 minutes West) along the south line of Lot 2 of the Owens Loeb S/D a measured distance of 237.90 feet (deed call 227.89 feet) to a point in the southeast lien of Cooks Road (40 feet wide); thence North 59 degrees 13 minutes East (deed call North 60 degrees 00 minutes East) along the southeast line of Cooks Road, a measured distance of 153.52 feet (deed call 147.13 feet) to a point; thence continuing northeastwardly along the southeast line of Cooks Road, along a curve to the left having a radius of 820 feet (chord bearing – North 51 degrees 45 minutes 48 seconds East; chord distance – 282.71 feet) an arc distance of 284.13 feet to a point in the south boundary lien of Austin Peay S/D; thence West along the south boundary line of Austin Peay S/D a distance of 963.9 feet to an angle point along the south boundary line of the First Addition to Austin Peay S/D a distance of 15 feet to the northeast corner of James Reynolds 125 acre tract; thence continuing South 82 degrees 52 minutes West along the north boundary line of the James Reynolds 125 acre tract a distance of centerline of Harrison Creek; thence South 40 degrees 14 minutes 50 seconds East along the centerline of Harrison Creek a distance of 571.85 feet to a point; thence South 83 feet to a point; thence South 85 degrees 07 minutes 40 seconds East along the centerline of Harrison Creek a distance of 523.3 feet to a point in the northwest line of Jackson Ave; thence North 25 degrees 19 minutes East along said northwest line of Jackson Ave 84.35 feet to a point; thence North 84 degrees 42 minutes West a distance of 252.20 feet to a point; thence North 25 degrees 12 minutes East a distance of 332.63 feet to a point; thence South 64 degrees 41 minutes East a distance of 237.64 feet to appoint in the northwest line of Jackson Ave; thence along said northwest line North 25 degrees 19 minutes East a distance of 150.0 feet to the point of beginning.

Being the same property conveyed to 4010 Jackson Holdings, LLC, by deed from Wilma Costa of record in Instrument 07117976.

This property is commonly known as 4010 Jackson Street, Memphis TN 38128.

with all the rights, members and appurtenances to the said described premises in anywise appertaining or belonging.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered by Grantor.


4010 Jackson Holdings, LLC

By: Anthony Joseph Campos Sy, Managing Member
Authorized Signor

STAFF ANALYSIS

The site is located at 4010 Jackson Avenue in the Jackson Planning District. The Jackson Avenue frontage on the west side from Chelsea Avenue to Brighton Road is zoned primarily Commercial Mixed Use (CMU-3) Residential zoning districts are generally located to the rear of the commercial zoning. The east side of Jackson Avenue contains a mixture of Employment (EMP) zoning at the intersection of Chelsea and Jackson Avenue that transitions to Commercial Mixed Use (CMU-3) District with a pocket of Urban Residential (RU-3) zoning. The RU-3 zoning on the east side transitions to Office General (O-G) District across from the subject site with residential zoning located to the rear of the commercial and office zoning.

4010 Jackson Avenue is located on the northwest side of Jackson Avenue approximately 480 feet south of Brighton Road South. The subject site is composed of two separate parcels, 062021 00033 and 08043 00014 totaling 27.428 acres. There are two point of access into the site. The first pint of access is adjacent to the concrete lined drainage ditch and the second point of access is a paved driveway adjacent to the existing commercial center. Beyond the entrance gates near the rear of the retail center, the road is unpaved. There appears to be some landscaping in place as well as equipment and supplies associated with past operations on the site. There appeared to be a person living on site in a recreational vehicle to care for the property.

Request

The applicant is requesting a major modification to the approved planned development for the Jackson Avenue Open Area Community Market in order to make the following changes:

1. Expand Phase One from the original approval to include the entire site as one phase of development with improvements and expansion ongoing as the business commences operation;
2. Add covered canopy areas for vendor sales on the south side of the main drive;
3. Add two metal buildings for office/restrooms and equipment storage by the owner (no mini-storage uses are proposed at this time);
4. Add entertainment elements to the open air market conditions including the following: ferris wheel, kids rides/merry-go-round, soccer/lacrosse field, horse arena, petting zoo;
5. Add auction sales as a component of the market operations (in the public assembly area);and
6. Extend the operation hours until midnight on Friday and Saturday nights.

The applicant's representative indicated Traders Village (<http://tradersvillage.com>) in Dallas/Fort Worth, Houston and San Antonio is the development model for the development of this site.

- The Traders Village in Dallas/Fort Worth is sited on 120 acres and is home to

- more than 3,500 dealers every weekend;
- The Traders Village located in Houston contains over 105 acres and serves approximately 2,000 vendors every weekend; and
- The San Antonio Traders Village contains over 100 acres and serves more than 1,000 vendors every weekend. All of the Trader Villages provide shopping, rides RV parks, vendors and food service with the appropriate sanitary and trash facilities onsite.
- The Jackson Avenue Open Air Community Market contains 27.428 acres and serves approximately 400 vendors (Memphis.com).

The site was formerly developed as a multi-family residential site, the former Yorktown Apartments. The placement of uses on the site plan proposes to use the foundation pads of the multi-family housing previously on the site. The open air community market will be a seasonal use (as weather permits). Several of the proposed uses will be day only activities such as the soccer/lacrosse field (that will not be lighted), the horse arena, and the petting zoo and stables.

This item was discussed at the Unified Development Code Technical Review Committee Meeting on August 26, 2015, and the revised plan is submitted for Land Use Control Board action.

History

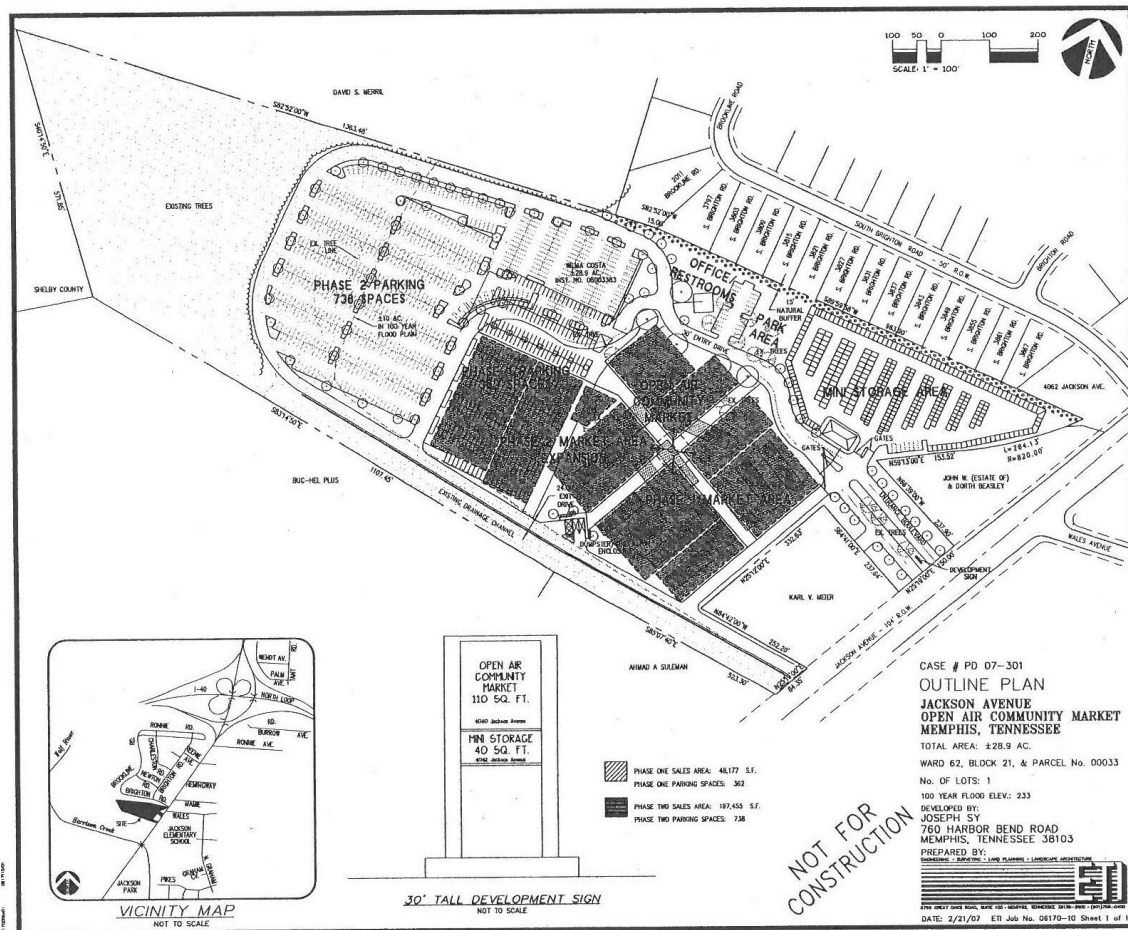
Initial Request

The Memphis and Shelby County Land Use Control Board heard the initial planned development request on March 8, 2007. Two paragraphs of particular importance are provided below that address the site in terms of primary use, size and mitigation of uses adjacent to the residential properties to the north along Brighton Road.

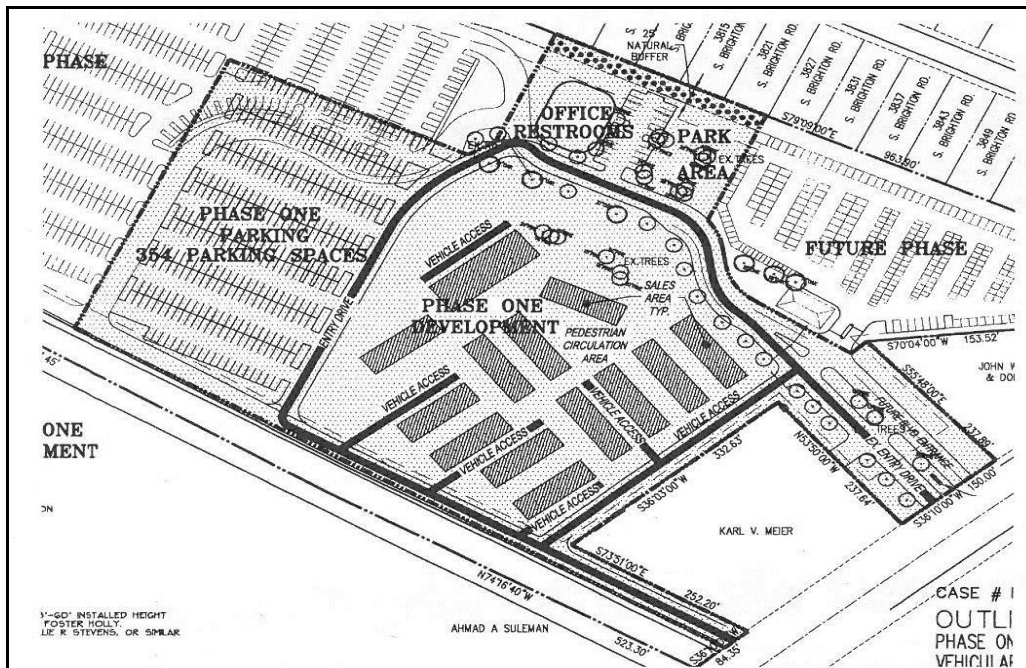
The applicant's operation also involves being the primary host in order to lease space and provide a stationary outdoor location to individual vendors. The facility would provide space for both retail goods sold at a flea market and produce sales sold at a farmers market. Although the apartment buildings have been removed from the site, the foundation pads remain and will be utilized for the construction of covered vendor stalls....The size and scale of outdoor sales shall be limited to the canopy and concrete foundations and not allowed to spill out into parking and open spaces. The parking for all vendors vehicle should be placed at the rear of the site with a special parking area designated for large trucks. In order to maintain the proposed open air feel of the facility no parking of vehicles under the canopy or within the market area should be allowed...

The site plan also provides a small park along the north line of the site that will include an office for the owner/manager and public restrooms for customers. By placing the park and the mini storage use along the northern property line and the more intense outdoor market stalls closer to

The Memphis City Council approved the Jackson Avenue Open Air Community Market Planned Development on April 24, 2007.



The first correspondence item was heard and approved the Land Use Control Board on August 14, 2008. The applicant, Joseph Sy, requested to “modify the boundary for Phase I to exclude the office/restroom facility and park area to the north” and “expand the boundary of the planned development on the west side of the proposed boulevard to add the office/restroom facility in the existing building (flea market office) that is offsite.” A part of the approval required “Landscaping along the north property line as required by the outline Plan Condition IV.E. shall be installed and maintained prior to issuing building permit for Phase I Final Plat.”



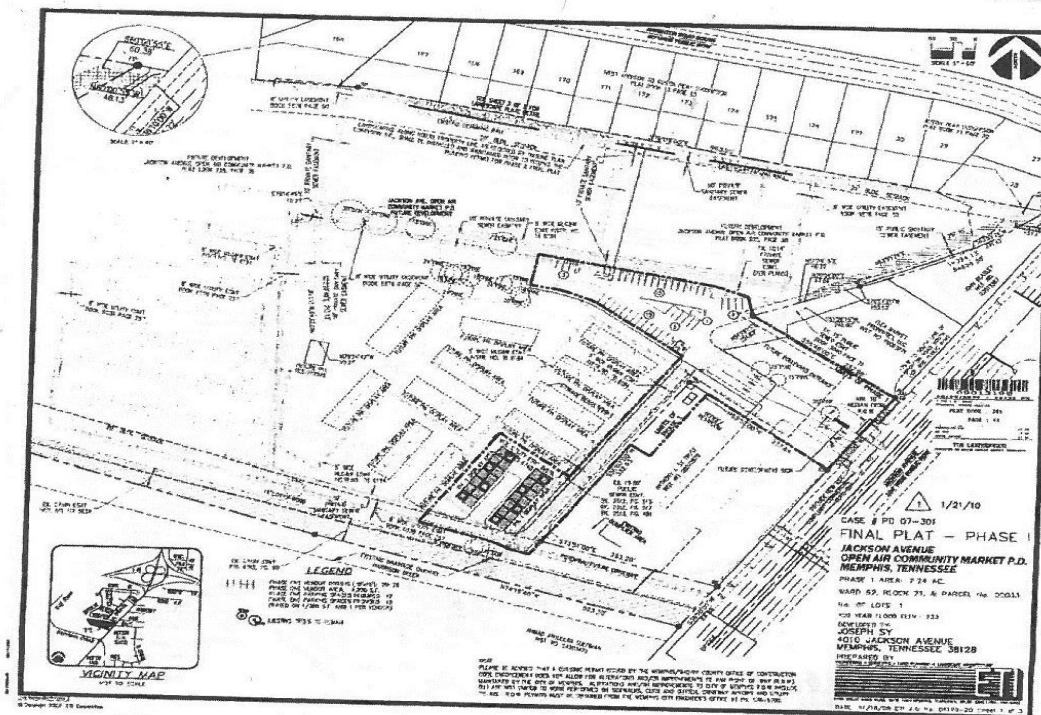
The second correspondence item was heard by the Land Use Control Board on February 11, 2010. The staff report states:

The applicant (Forty Ten Jackson Holdings, LLC) is requesting a downsizing of Phase I in order to operate a smaller version of an outdoor flea market than was originally planned. Phase I as currently recorded contains 9.8 acres including 13 display areas (148 vendor booths) and 306 parking spaces. It also includes various site improvements, most notably the construction of a restroom, a boulevard entrance, and perimeter landscaping along the northern property line. In reality, most of these improvements were only partially or never constructed. The property owner has attempted to operate an outdoor flea market here, but was correctly cited by the Office of Construction Code Enforcement for operating the facility without the requested facility improvements. The applicant readily admits the improvements were not completed because of financial difficulties, so this application is to authorize a much smaller outdoor flea market operation on 2.24 acres utilizing existing paved parking (43 spaces) and 20 to 28 vendor booths.”

The Land Use Control Board approved the request subject to 4 conditions. Condition One required “Permanent restroom facilities shall be provided within Phase I and illustrated on the final plat.” Condition Three stated “Any music played during the outdoor sales events shall be limited to Saturday and Sunday only from 12 p.m. to 7 p.m. The maximum noise level for the music is limited to 60 decibels.”

The applicant was instructed to submit the Outline Plan and Final Plat for re-

recording.



Staff is looking to see the parcel improved with value added improvements that will enhance the site as well as activities and hours of operation that will not adversely impact the adjacent neighborhood to the north.

OPD Staff would recommend the applicant provide the previously approved requirements to the site before requesting an expansion of the planned development. Any expansion of uses should take into consideration the impact to the adjacent neighborhood in terms of hours of operation, noise, smell, screening and the location and combined intensity of uses. Any future application needs to provide a set of revised conditions and a site plan to address the above mentioned concerns.

RECOMMENDATION: REJECTION

GENERAL INFORMATION

Zoning Atlas Page: 1935 and 1940

Parcel ID: 062021 00033 and 08043 00014

Census Tract: 89

Roadway Frontages: Approximately 84 feet on Jackson Avenue along the southern property line- and 150 feet along Jackson Avenue at the main entrance to the site

DEPARTMENTAL COMMENTS

The following comments were provided by agencies to which this application was referred:

City Engineer: No comment on this item.

City Fire Division: No comment.

Shelby County Health Department: No comments by Water Quality & Septic Tank Program.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water: No comments received, but typical requirements are listed below.

- **Street Names:** It is the responsibility of the owner/applicant to contact MLGW–Address Assignment @ 729-8628 and submit proposed street names for review and approval.

Please use the following link to the MLGW Land & Mapping website for **Street Naming Guidelines** and the **Online Street Name Search**:

<http://www.mlgw.com/builders/landandmapping>

- **It is the responsibility of the owner/applicant** to identify any utility easements, whether dedicated or prescriptive (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities.
- **No permanent structures** will be allowed within any utility easements, without prior MLGW approval.
- **It is the responsibility of the owner/applicant** to contact **TN-1-CALL @ 1.800.351.1111**, before digging, and to determine the location of any underground utilities including electric, gas, water, CATV, telephone, etc.
- **It is the responsibility of the owner/applicant** to pay the cost of any work performed by MLGW to install, remove or relocate any facilities to accommodate the proposed development.
- **It is the responsibility of the owner/applicant** to comply with the **National Electric Safety Code (NESC)** and maintain minimum horizontal/vertical clearances between existing overhead electric facilities and any proposed structures.
- **It is the responsibility of the owner/applicant** to comply with Memphis/Shelby County Zoning Ordinance - Landscape and Screening Regulations.
- **Street Trees are prohibited**, subject to the review and approval of the landscape plan by MLGW Engineering. It is the responsibility of the owner/applicant to submit a detailed landscape plan to MLGW Engineering.
- **Landscaping is prohibited** within any MLGW utility easement without prior MLGW approval.
- **It is the responsibility of the owner/applicant** to submit a detailed plan to MLGW Engineering for the purposes of determining the availability and capacity of existing utility services to serve any proposed or future development(s). Application for utility service is necessary before plats can be recorded.
 - All residential developers must contact MLGW's Residential Engineer at Builder Services: (901) 729-8675 to initiate the utility application process.
 - All commercial developers must contact MLGW's Builder Services line at 729-8630 (select option 2) to initiate the utility application process.
- **It is the responsibility of the owner/applicant** to pay the cost of any utility system improvements necessary to serve the proposed development with electric, gas or water utilities.

Address Assignment:

Existing street names are good.

AT&T/Bell South:

No comments received.

OPD Staff received two emails of opposition.

On Aug 13, 2015, at 9:02 PM, "Mjgmemaue@aol.com" <Mjgmemaue@aol.com> wrote:

PD07-301: WELLS STA: change to approved site plan and conditions of open air market at 4010 Jackson. Staff Planner: Marion Jones

My opinion,

This part of town is bad enough w/ adding flea markets like the one where the Bowling Alley was on Summer.. It ruins a neighborhood.

Memphis needs less of these. .Trash breeds crime! The people and Police ran them out of South Memphis for selling stolen goods and now attempting to moving in this area.

Open air Market is Flea Market with a new name. same people and trash, eyesores.
Mauve

Dear Sirs:

I am writing on behalf of my Husband and I. We live at 3797 Brighton Rd S. I have lived in this house since 1975, almost 40 years. In the last 14 years we have seen a decline in our property values and the residents as well. We are totally against this new venture that will connect to our back fence. This, Mr. Sy, has tried this a few years back with no success. He had a rodeo; one with an escaping bull, also loud music that shook our windows, police were called by several neighbors and numerous times. For weeks he has had the fire hydrant outside our house linked with a fire house running down curb and to the back of 2011 Brookline onto his property in the back. My fear was, what if our house caught fire. What would the firemen have to do to put our house out? Did he have permit to tie this hydrant up for his own personal use? I guess it was for concrete work. On 9-1 a fire truck was out trying to replace fire plug. It is now missing. Not sure of this outcome.

Mr. Sy has already started work back there and not sure if permitted. They have earth moving equipment, house trailers, camping trailers and various types of vehicles on site now. We will be attending the Public Meeting on September 10 at 10 am.

Denise Pittman|Executive Secretary

Thank you Mr. Jones. I meant to also include that on Mr. Sy's application he states address in Las Vegas. He in fact lives on Brighton Rd South and is the landlord on many of the properties on our street and many others in area. He has also spoken racial slurs to a Black neighbor of ours in regards to his two large German Shepherds in his yard that he leaves gate open. He said "you people need to just go on" She was upset and carries a big stick as she walks down the street in fear he will let dogs out.

Second email from Denise Pittman

Application



Memphis and Shelby County
Office of Planning and Development

CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6619

**APPLICATION FOR PLANNED DEVELOPMENT
MAJOR MODIFICATION/LUCB SITE PLAN
(CORRESPONDENCE) APPROVAL**

Date: 7.30.2015

Previous Case #: PD 07-301

PLEASE TYPE OR PRINT

Name of Development: JACKSON AVENUE OPEN AIR COMMUNITY MARKET PD
Property Owner of Record: Anthony Joseph Campos Sy Revocable trust Phone #: _____
Mailing Address: 11781 Magnolia Pk Ct City/State: Las Vegas, NV Zip: 89141
Property Owner E-Mail Address: ajosephsy@gmail.com
Applicant: Same Phone #: _____
Mailing Address: _____ City/State: _____ Zip: _____
Applicant E-Mail Address: _____
Representative: DESIGN GROUP (NEELAS KUMAR) Phone #: _____
Mailing Address: 1255 LYNDFIELD, SUITE 226 City/State: MEMPHIS, TN Zip: 38118
Representative E-Mail Address: _____
Engineer/Surveyor: THE BRAY FIRM Phone #: 901.383.8668
Mailing Address: 2950 STAGE PLAZA NORTH City/State: MEMPHIS, TN Zip: 38134
Engineer/Surveyor E-Mail Address: bray.davis.firm@aol.com
Correspondence item Street Address Location: 4010 JACKSON AVE
Distance to nearest intersecting street: 479.8' TO SOUTH LINE OF BRIGHTON ROAD SOUTH

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	<u>27.298</u>	_____	_____
Existing Zoning:	<u>RV-3</u>	_____	_____
Existing Use of Property	<u>OPEN AIR MARKET</u>	_____	_____
Requested Use of Property	<u>OPEN AIR MARKET</u>	_____	_____

Type of Correspondence Item Requested:

☒ Major Modification(s) (See UDC Para. 9.6.11E(2) for a list of Major Modifications)
☐ Land Use Control Board Site Plan Approval

Unincorporated Areas: For residential projects in unincorporated Shelby County, please provide the following information:

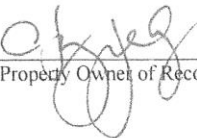
Number of Residential Units: N/A Bedrooms: _____

Expected Appraised Value per Unit: N/A or Total Project: _____

Description of and justification for request: For time extensions provide reasons necessitating extensions and estimated time frame for finalizing the development:

SEE LETTER OF INTENT

I (we) hereby make application for the Correspondence Case described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

 7/27/15 SAME
Property Owner of Record Date Applicant Date

SIGN POSTING: A sign or signs shall be erected on-site no more than 30 days or less than 10 days prior to the date of the Land Use Control Board hearing for any Major Modification. See Sub-Section 9.3.4C of the UDC for further details on sign posting.

REQUIRED MAJOR MODIFICATIONS: The following items shall be deemed as Major Modifications to an approved Planned Development Outline Plan:

- A. Any revision to an Outline Plan that involves adding uses of a higher classification. Note: Adding uses of a lower classification will require the submittal of an Outline Plan *Amendment*. See Sub-Section 10.2.5B of the UDC for more information on higher and lower classifications.
- B. Any extension of the expiration date of an Outline Plan, provided the expiration date has not passed (see Sub-Section 9.6.14A).
- C. Any filing of a Final Plan in a Planned Development that was approved more than five years prior to the filing date and where the Outline Plan contains no expiration provisions.
- D. Any final plan that provides for more density than is permitted under the approved Outline Plan, unless the Outline Plan explicitly allows for such additional density (see Item 9.6.11D(3)(a) of the UDC).
- E. Any modification to the orientation of buildings as shown on the Outline Plan or the Outline Plan's Concept Plan that exceeds the following (see Item 9.6.11D(3)(c) of the UDC):
 1. 25 feet for final plans of two or less acres;
 2. 50 feet for final plan of more than two but less than eight acres;
 3. 100 feet for final plans of eight acres but than 20 acres; and
 4. 150 feet for final plans of 20 acres or more.

Letter of Intent



The Bray Firm

2950 Stage Plaza North
Bartlett, Tennessee 38134

Telephone 901-383-8668
Fax 901-383-8720

July 30, 2015

Josh Whitehead, Director
Memphis and Shelby County
Office of Planning and Development
125 North Main Street
Memphis, Tennessee 38103

RE: Major Modification (Correspondence Item)
Jackson Avenue Open Air Community Market PD
PD 07-301

Mr. Whitehead:

Please find attached an application for the above referenced Land Use Control Board case. This project has been previously approved. We are coming forward to you at this time with the following requests for modification:

1. Expand Phase One from the original approval to include the entire site as one phase of development with improvements and expansion ongoing as the business commences operation.
 2. Add covered canopy areas for vendor sales on the south side of the main drive.
 3. Add two metal storage buildings for equipment storage by owner (no mini-storage uses are proposed at this time).
 4. Add entertainment elements to the open air market conditions including the following: Ferris wheel, kids rides/merry-go-round, soccer/lacrosse field, horse arena, petting zoo, and go-kart racing track.
 5. Add auction sales as a component of the open market operations (in the public assembly area).
 6. Extend the operation hours until midnight on Friday and Saturday nights.
- The mini-storage uses that were originally requested with this development are no longer being considered and will not be a part of this development. The developer envisions an outdoor mall/gathering place/entertainment venue that will be focal point of the community especially on weekends during the spring, summer and fall. Families can spend the whole day at the Open Air Market with vendor options ranging from local craftsman to small mom and pop operations to fresh produce; entertainment for the kids; live auctions; sporting events and food trucks. The owner/developer is anxious to begin operations at this location and will begin the process of making improvements immediately upon approval of these changes to the site plan and scope of the operation. Improvements within each area of the development will be staged so that as many elements are available and operational at one time as possible.

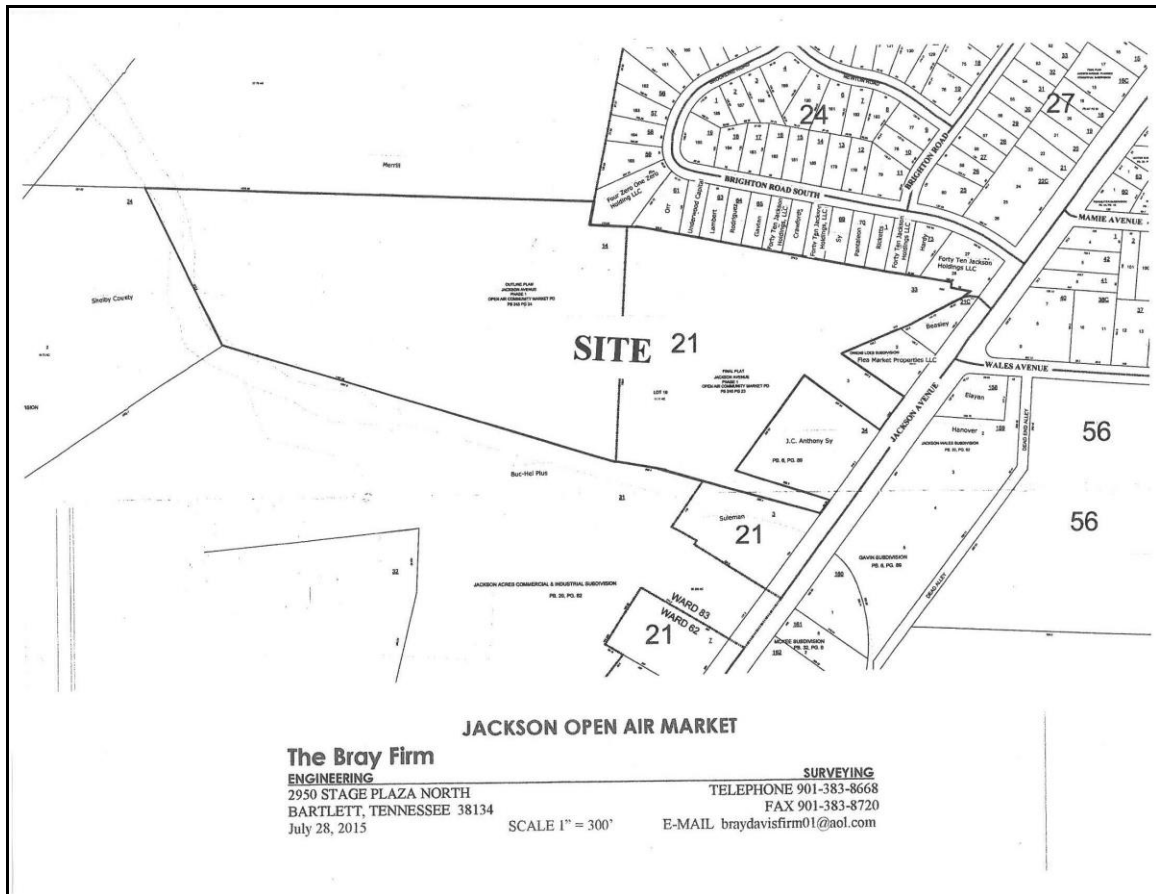
Thank you for considering this request. If you have any questions or need any additional information, please contact me.

Sincerely,

David Gean Bray, P.E.

[illegible]

Vicinity Map without Names



Deed

Tom Leatherwood, Shelby County Register of Deeds: Instr. # 14116227

QUITCLAIM DEED		Based on the information provided by the parties. No title search has been performed and no warranties either express or implied are made regarding the condition of the title.
THIS INSTRUMENT WAS PREPARED BY: STEWART JOHNSON CONNER & MANSON, LLP 215 2ND AVE NORTH, NASHVILLE, TN 37201		
Address of New Owner Anthony Joseph Campos Sy Revocable Trust dated June 26, 2007 11781 Magnolia Park Ct. Las Vegas, NV 89141	Send Tax Bills To Anthony Joseph Campos Sy- Revocable Trust dated June 26, 2007 11781 Magnolia Park Ct. Las Vegas, NV 89141	Map-Parcel Nos. 062021-00033 083043-00014

THIS INDENTURE, Made the 8th day of October, 2014, between 4010 Jackson Holdings, LLC as party or parties of the first part, hereinafter called Grantor, and Anthony Joseph Campos Sy, Trustee of the Anthony Joseph Campos Sy Revocable Trust dated June 26, 2007 hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: That Grantor for and in consideration of ten dollars, the receipt of which is hereby acknowledged, has bargained, sold, and does by these present bargain sell, remise, release, and forever quitclaim to Grantee, all of his right, title and interest in said property, with respect to all of Grantor's title, interest, claim or demand which the Grantor has or may have had in and to the following described properties located in Shelby County, Tennessee, to-wit:

Being the property known as Raleigh Station Apartments (formerly Cumberland Pines Apartments, formerly Yorktown Apartments) less and except the adjoining commercial property lying west of Jackson Ave., north and east of Harrison Creek, and south of Austin Peay S/D, being part of the James Reynolds 125 acre tract, part of McMath and Johnson S/D and part of Owens Loeb S/D, recorded in Plat book 34, Page 8 in the Shelby County Register's Office ("SCRO") and being the same property conveyed to Avron B.

Fogelman by Trustee's Deed recorded under Instrument No. 22-4402, SCRO, and being more particularly described as follows:

Beginning at a point in the northwest line of Jackson Ave. (104 feet wide) at a distance of 384.8 feet southwestwardly, as measured along the northwest line of Jackson Ave, from its intersection with the south boundary line of Austin Peay S/D (Plat Book 13, Page 70, SCRO and Plat Book 13, Page 83, Lot 2 of the Owens Loeb S/D as recorded in Plat Book 34, Page 8, SCRO; thence North 66 degrees 39 minutes West (deed call North 65 degrees 39 minutes West) along the south line of Lot 2 of the Owens Loeb S/D a measured distance of 237.90 feet (deed call 227.89 feet) to a point in the southeast lien of Cooks Road (40 feet wide); thence North 59 degrees 13 minutes East (deed call North 60 degrees 00 minutes East) along the southeast line of Cooks Road, a measured distance of 153.52 feet (deed call 147.13 feet) to a point; thence continuing northeastwardly along the southeast line of Cooks Road, along a curve to the left having a radius of 820 feet (chord bearing – North 51 degrees 45 minutes 48 seconds East; chord distance – 282.71 feet) an arc distance of 284.13 feet to a point in the south boundary lien of Austin Peay S/D; thence West along the south boundary line of Austin Peay S/D a distance of 963.9 feet to an angle point along the south boundary line of the First Addition to Austin Peay S/D a distance of 15 feet to the northeast corner of James Reynolds 125 acre tract; thence continuing South 82 degrees 52 minutes West along the north boundary line of the James Reynolds 125 acre tract a distance of centerline of Harrison Creek; thence South 40 degrees 14 minutes 50 seconds East along the centerline of Harrison Creek a distance of 571.85 feet to a point; thence South 83 feet to a point; thence South 85 degrees 07 minutes 40 seconds East along the centerline of Harrison Creek a distance of 523.3 feet to a point in the northwest line of Jackson Ave; thence North 25 degrees 19 minutes East along said northwest line of Jackson Ave 84.35 feet to a point; thence North 84 degrees 42 minutes West a distance of 252.20 feet to a point; thence North 25 degrees 12 minutes East a distance of 332.63 feet to a point; thence South 64 degrees 41 minutes East a distance of 237.64 feet to appoint in the northwest line of Jackson Ave; thence along said northwest line North 25 degrees 19 minutes East a distance of 150.0 feet to the point of beginning.

Being the same property conveyed to 4010 Jackson Holdings, LLC, by deed from Wilma

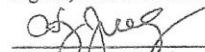
Costa of record in Instrument 07117976.

This property is commonly known as 4010 Jackson Street, Memphis TN 38128.

with all the rights, members and appurtenances to the said described premises in anywise appertaining or belonging.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered by Grantor.



4010 Jackson Holdings, LLC

By: Anthony Joseph Campos Sy, Managing Member
Authorized Signor